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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/666,585	09/18/2003	Kenichi Tezuka	42530-5600	9171
21611	7590	03/23/2007	EXAMINER	
SNELL & WILMER LLP (OC) 600 ANTON BOULEVARD SUITE 1400 COSTA MESA, CA 92626			BEAUCHAINE, MARK J	
			ART UNIT	PAPER NUMBER
			3653	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/23/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/666,585	TEZUKA, KENICHI	
	Examiner	Art Unit	
	Mark J. Beauchaine	3653	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 09 February 2007.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1,3-5,7-11 and 14-19 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 3-5 and 7-11 is/are allowed.
- 6) Claim(s) 1 and 14-19 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 18 September 2003 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Receipt of the Applicant's amendment dated 9 February 2007 that is in response to final Office action dated 3 January 2007 is acknowledged. After further consideration, claims pending in the instant application are subject to new grounds of rejection. Accordingly, finality of said final Office action is hereby withdrawn.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 14-19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The terms "dispensing number setting unit" (claim 14, line 11 and line 12) and "special purchasing mode" (claim 17, lines 4 and 5) lack sufficient antecedent bases.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Patent Number 5,366,110 by Takemoto et al ("Takemoto") in view of Patent Number 5,533,727 by DeMar ("DeMar") in view of Patent Number 4,860,876 by Moore et al ("Moore"). The token dispensing device disclosed by Takemoto comprises banknote accepting unit 17 for accepting banknotes and determining the denomination of said banknotes, and for outputting a banknote signal based on the denomination of the accepted banknotes (see Figure 1). Takemoto further discloses control unit (see column 4, lines 20-24) for receiving the banknote value signal and outputting a token dispensing signal based on the banknote value signal (see column 4, lines 32-46), token dispensing unit 6/7/15 for storing and dispensing tokens based on the token dispensing signal (see Figures 1, 5 and 7 and column 3, line 60 through column 4, line 19), and dispensing number setting and changing units for setting and changing a dispensing number of tokens from the token dispenser unit (see column 4, lines 47-65). Still further, Takemoto discloses display unit 14 for displaying current operating conditions of the device.

Takemoto fails to disclose a clock unit. DeMar teaches a currency actuated product dispensing device which "may be applied to any type of electronic coin-operated equipment" (column 2, lines 32 and 33) comprising clock unit 20 for outputting current time information including date, time and day of week information (see column 3, lines 24-35 and lines 44-47; and column 6, lines 25-34) for setting the price of a product to be dispensed based upon current time, date and day information from the clock unit (see column 6, lines 35-54) for the purpose of providing a customer to purchase a product during slow periods of device operation. It would have been

Art Unit: 3653

obvious to one of ordinary skill in the art at the time the invention was made to incorporate the clock unit of DeMar into the token dispensing device of Takemoto for the purpose of providing a customer with an incentive to purchase a product during slow periods of device operation.

Takemoto fails to disclose a touch screen unit. Moore teaches a currency actuated product dispensing device comprising touch screen unit 512 (see Figure 12) for the purpose of receiving operating commands from a customer. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the touch screen unit of Moore into the dispensing device of Takemoto for the purpose of receiving operating commands from a customer.

Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Takemoto in view of DeMar. The token purchasing system disclosed by Takemoto comprises a currency actuated product dispensing device which includes banknote accepting unit 17 for accepting a banknote and determining the denomination of said banknote, and for outputting a banknote signal based on the denomination of the accepted banknote (see Figure 1). Takemoto further discloses control unit (see column 4, lines 20-24) for receiving the banknote value signals and outputting a token dispensing signal based on the banknote value signal (see column 4, lines 32-46), token dispensing unit 6/7/15 for storing and dispensing tokens based on the token setting unit (see Figures 1, 5 and 7 and column 3, line 60 through column 4, line 19), and a dispensing number setting and changing units for setting and changing a

Art Unit: 3653

dispensing number of tokens from the token dispenser unit (see column 4, lines 47-65).

Still further, Takemoto discloses display unit 14 for displaying current operating conditions of the device.

Takemoto fails to disclose a clock unit. DeMar teaches a currency actuated product dispensing device which "may be applied to any type of electronic coin-operated equipment" (column 2, lines 32 and 33) comprising clock unit 20 for outputting current time information including date, time and day of week information (see column 3, lines 24-35 and lines 44-47; and column 6, lines 25-34) for setting a special purchasing mode wherein the price of a product to be dispensed is based upon current time, date and day information from the clock unit (see column 6, lines 35-54) for the purpose of providing a customer to purchase a product during slow periods of device operation. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the clock unit configuration of DeMar into the token purchasing system of Takemoto for the purpose of providing a customer with an incentive to purchase a product during slow periods of device operation.

Claims 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takamoto in view of DeMar as applied to claim 14 above, and further in view of Moore. Takemoto fails to disclose a touch screen unit. Moore teaches a currency actuated product dispensing device comprising touch screen unit 512 for the purpose of receiving operating commands from a customer (see Figure 12). Furthermore, said touch screen unit is in a plane parallel to and overlapping a predetermined portion of

Art Unit: 3653

display unit 510. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the touch screen unit of Moore into the dispensing device of Takemoto for the purpose of receiving operating commands from a customer.

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Takamoto in view of DeMar in view of Moore as applied to claim 16 above, and further in view of Patent Number US 6,230,930 B1 by Sorensen et al ("Sorensen").
Takamoto/DeMar/Moore fails to disclose a speaker. Sorensen teaches a currency actuated product dispensing device comprising speaker 205 (see Figure 16A and column 20, lines 14-29) for the purpose of providing an operator with a user interface. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the speaker of Sorensen into the

Claim18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Takamoto/DeMar/Moore/Sorensen as applied to claim 17 above, and further in view of Patent Number US 6,283,268 B1 by Fletcher et al ("Fletcher").
Takamoto/DeMar/Moore/Sorensen fails to disclose a smart card accepting unit. Fletcher teaches a currency actuated product dispensing device comprising smart card accepting unit 70 (see Figure 1; column 2, line 63 through column 3, line 5 and column 3, lines 26-35) for the purpose of crediting the dispensing device with a payment means. It would have been obvious to one of ordinary skill in the art at the time the invention was made to.

Art Unit: 3653

incorporate the smart card accepting unit for the purpose of crediting the dispensing device with a payment means.

Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Takemoto in view of DeMar as applied to claim 14 above, and further in view of Patent Number US 6,279,718 B1 by Nulph et al ("Nulph"). Takemoto/DeMar fails to disclose a door configuration including a display and dispensing unit. Nulph teaches a currency actuated product dispensing device comprising display 38 and dispensing unit 26 mounted on chassis door 14 (see Figure 1) for the purpose of providing an operator with convenient access to user interface elements. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the door configuration of Nulph into the dispensing device of Takemoto/DeMar for the purpose of providing an operator with convenient access to user interface elements.

Allowable Subject Matter

Claims 3-5 and 7-11 are allowed.

Response to Arguments

Applicant's arguments with respect to claims 1 and 14-19 have been considered but are moot in view of the new ground(s) of rejection.

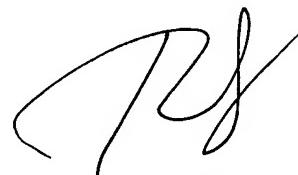
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark J. Beauchaine whose telephone number is (571)272-6934. The examiner can normally be reached on 8:00AM through 5:00PM Mondays through Thursdays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick H. Mackey can be reached on (571)272-6916. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

mjb



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